

# Notice of Allowability

Application No.

09/998,546

Examiner

Chirag G. Shah

Applicant(s)

RAMAKRISHNAN ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

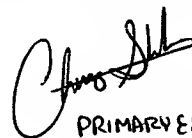
1. ☒ This communication is responsive to 8/11/06.
2. ☒ The allowed claim(s) is/are 1-14 and 26-29; renumbered 1-18 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.



PRIMARY EXAMINER, 2616  
CHIRAG SHAH

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Godfrey Kwan on 9/13/06.

The application has been amended as follows:

1. (Currently Amended) An apparatus for generating one or more evaluation metrics associated with the performance of a statistical remultiplexer as a whole, the apparatus comprising:

a first input for receiving information related to an input bit stream to the statistical remultiplexer;

a second input for receiving information related to an output bit stream from the statistical remultiplexer;

logic for generating said one or more evaluation metrics using the received information from both said input and said output bit streams ~~that provides a quantitative measure of the performance of the statistical remultiplexer~~, wherein the information related to the input bit stream(s) and the output bit stream is obtained for one or more frames and input to a data

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reduction process over a specified time period and wherein the evaluation metric is an average value over the specified time period; and

at least one output for outputting said one or more evaluation metrics of the statistical remultiplexer to provide a quantitative measure of the performance of the statistical remultiplexer.

5. (Currently Amended) A method for generating one or more evaluation metrics associated with the performance of a statistical remultiplexer as a whole, the method comprising:

receiving information related to an input bit stream to the statistical remultiplexer;

receiving information related to an output bit stream from the statistical remultiplexer;

and

generating an evaluation metric utilizing the information received from the input bit stream(s) and the output bit stream, ~~that provides a quantitative measure of the performance of the statistical remultiplexer as a whole,~~ wherein the information related to the input bit stream(s) and the output bit stream is obtained for one or more frames and input to a data reduction process over a specified time period and wherein the evaluation metric is an average value over the specified time period; and

outputting said evaluation metric of the statistical remultiplexer to provide a quantitative measure of the performance of the statistical remultiplexer as a whole.

16. (Cancelled)

17. (Cancelled)

18. (Cancelled)

19. (Cancelled)

20. (Cancelled)

21. (Cancelled)

22. (Cancelled)

26. (Currently Amended) A device for generating one or more evaluation metrics associated with the performance of a statistical remultiplexer, the device comprising:

means for receiving information related to an input bit stream to the statistical remultiplexer;

means for receiving information related to an output bit stream from the statistical remultiplexer;

means for generating one or more evaluation metrics using the received information from both said input and said output bit streams ~~that provides a quantitative measure of the performance of the statistical remultiplexer as a whole~~, wherein the information related to the input bit stream(s) and the output bit stream is obtained for one or more frames and input to a

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data reduction process over a specified time period and wherein the evaluation metric is an average value over the specified time period; and

means for outputting said one or more evaluation metrics of the statistical remultiplexer to provide a quantitative measure of the performance of the statistical remultiplexer as a whole.

28. (Currently Amended) A computer readable medium containing an executable computer program for generating one or more evaluation metrics associated with the performance of a statistical remultiplexer as a whole, comprising:

computer code for receiving information related to an input bit stream to the statistical remultiplexer;

computer code for receiving information related to an output bit stream from the statistical remultiplexer;

computer code for generating one or more evaluation metrics utilizing the information received from the input bit stream and the output bit stream ~~that provides a quantitative measure of the performance of the statistical remultiplexer as a whole~~, wherein the information related to the input bit stream(s) and the output bit stream is obtained for one or more frames and input to a data reduction process over a specified time period and wherein the evaluation metric is an average value over the specified time period;

computer code for outputting said one or more evaluation metrics of the statistical remultiplexer to provide a quantitative measure of the performance of the statistical remultiplexer as a whole; and

computer readable medium for storing the computer code.

### **Reasons For Allowance**

2. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 5, 26, and 28, Prior Art fails to disclose an apparatus, method, and means and a computer code for generating the one or more evaluation metric using the received information from both the input and the output bit streams that provides a quantitative measure of the performance of the statistical remultiplexer, wherein the information related to the input bit stream(s) and the output bit stream is obtained for one or more frames and input to a data reduction process over a specified time period and wherein the evaluation metric is an average value over the specified time period and wherein the evaluation metric is an average value over the specified time period in combination with other limitations set forth in the claims.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7682. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cgs

September 18, 2006

A handwritten signature in black ink, appearing to read 'Chirag Shah', written over a horizontal line.

Chirag Shah  
Primary Examiner, 2616